RESPONSE TO NON-FINAL OFFICE ACTION

Serial No. 10/662,074

PAGE 8 Attorney Docket No. 400.181US03

Title: CONTACTLESS UNIFORM-TUNNELING SEPARATE P-WELL (CUSP) NON-VOLATILE MEMORY

ARRAY ARCHITECTURE, FABRICATION AND OPERATION

REMARKS

Double Patenting Rejection

Claims 1-33 were rejected under the judicially created doctrine of obviousnesstype double patenting as being unpatentable over claims 1-52 of U.S. Patent No. 6,649,453. Applicant has included a Terminal Disclaimer herewith to address the rejection. In view of the Terminal Disclaimer, Applicant respectfully requests reconsideration and withdrawal of the rejection, and allowance of claims 1-33.

CONCLUSION

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2207.

Respectfully submitted,

Andrew C. Walseth

Reg. No. 43,234

Attorneys for Applicant Leffert Jay & Polglaze P.O. Box 581009 Minneapolis, MN 55458-1009 T 612 312-2200 F 612 312-2250